6/7/98

Wm B. Bate 2000

S. F. R

E 664
.W2 B3
Copy 1

MEMORIAL ADDRESS

BY

HON. WM. B. BATE,

OF TENNESSEE,

UPON THE

LIFE AND CHARACTER

OF

HON. EDWARD C. WALTHALL

(Late a Senator from the State of Mississippi),

DELIVERED IN THE

SENATE OF THE UNITED STATES,

MAY 26, 1898.

WASHINGTON.
1898.

73001

L 664
.W2B3

Mr. W. A. Smith P.M.

MEMORIAL ADDRESS UPON THE LIFE AND CHARACTER OF HON. EDWARD C. WALTHALL.

Mr. BATE. For the second time, Mr. President, in the same Congress, the Senate meets to pay its last tribute of admiration and regard to a Senator from Mississippi. But few months have passed since our last mournful garlands were hung over the chair of the late Senator George, of that State, and to-day we are called upon to mingle our regrets at the death of his colleague, EDWARD CARY WALTHALL. Truly, "Death borders upon our birth, and our cradle stands in the grave," and there are neither exemptions nor exceptions in that dread summons, which serves its process without discrimination as to honors or services—to-day upon a Gladstone, whose fame completes the honors of a century, and to-morrow strikes down some lowly peasant.

Truly, we all "await alike the inevitable hour" and follow only "the paths which lead but to the grave."

The associations of years upon this floor, the concurrence and agreement in public measures, the sympathy and sufferings in the tent and on the field of battle, all prompt me to offer the tribute of my sincerest regard and highest admiration for the memory of EDWARD CARY WALTHALL.

Long personal acquaintance and an earnest appreciation of his many and excellent virtues would induce me, were my powers equal to my will, to erect for him an imperishable monument. As I have been associated with him in the same efforts that have marked his most important public services, I am enabled to bear truthful testimonial of fine character and eminent worth as citizen and Senator in time of peace and as a superb and unsurpassed soldier in time of war. His sudden departure from the public service, from home, family, and friends can not fail to arouse in the minds of all who knew him sentiments of profound regret.

In this great community of States, Mississippi has many sympathizers, who will bear heartfelt testimony of their appreciation of the eminent character of her representatives in this body.

Senator WALTHALL was a native of Richmond, Va. At an early age he emigrated to the State of Mississippi. Here he received his education and grew to distinguished manhood. Here he won the esteem of his fellow-citizens and received the honors that crown his memory. Here were formed his early associations; here were matured the political sentiments that guided and directed him through life.

It is no ordinary character that we are called upon to portray. From his quiet, courteous deportment among his fellow-Senators, from his words of truth and earnestness, we can measure our sad bereavement. We may not expect soon to see that gentle dignity united to that heroic courage and chivalric sense of honor that felt a stain worse than a wound.

He took in by inheritance, as it were, the principles of Democracy as taught by the Virginia fathers; he imbibed their spirit as a natural gift through the atmosphere of free thought. They were thoroughly imbued with the conviction of the inherent right of the people to govern themselves. These convictions Mr. Jefferson had crystallized in his immortal work. This has become the political gospel of men of noble aspirations and all friends of the equal worth of men. The relations of the State to the Federal Government were clearly defined in Mr. Jefferson's celebrated resolutions that became an important chapter in the political history of that Commonwealth.

The same principles obtained no less prominence in Mississippi and were advocated with more intensity. In no State were political questions treated with more earnest convictions. The principles of Democracy in all their various aspects were maintained by a body of the most eloquent, learned, and determined advocates that ever appeared on the hustings. The public intelligence was never more completely cultivated and the general acquaintance with all the great political issues was thorough.

Among the leading political debaters may be ranked McNutt, Poindexter, Foote, Davis, and the matchless orator, Prentiss. The bench and the bar of the State were occupied with men noted for their learning and brilliant advocacy. It was amid a galaxy of illustrious names that Senator WALTHALL received his first political lessons and made his advent in the legal profession. His professional course was dictated by his moral personality; and his personality was the same in all relations of life.

A sincere and earnest purpose in his intercourse with all men in public or private duties marked the conduct of a character that never departed from the most delicate shades of honor. In all his eventful life, in peace and war, no suspicion that could mar his well-regulated conduct with men was ever entertained. So careful and just to all with whom he had relations was he that he was exempt from censure.

Senator WALTHALL received an academic education in Holly Springs, Miss., and studied law, and was there admitted to practice. He devoted himself with that assiduity that has ever marked his course in life. His success was rapid and remunerative, and soon he stood among the leaders of his profession, pre-eminent for brilliant talents and legal learning. He attained distinction and went to the front free from envy or antagonistic rivalry. This was the result of his personality.

He was in harmony with the people in their political sentiments. He was endowed by nature with a refined sensibility that introduced him to the confidence of the profession and the people. A supreme regard for the interests of his clients and the sanctity of his duty to them rendered him careful in the preparation of his cases and earnest in their advocacy. This gave him influence with the court and jury. A lofty integrity and an acute sense of honor disrobed him of any suspicion of professional trick or the possibility of trifling with the interests of those who had confided in him.

With a zeal reenforced by an ardent sense of duty he devoted an intelligence that always proved adequate to the exigencies. His conscientious regard for his client's rights excited the most careful consideration of the principles involved. An exact judgment and an acute, penetrating, and active intellect were brought

to the subject before him. A refined, courteous manner, born of his respect for the dignity and worth of all men, secured for him the respect of all classes. He had no strong yearning for office, but a determination to deserve the confidence of the community in his character for integrity and sincerity.

Instructed by the light of a former generation and encouraged by the success that had crowned their sublime purpose under like conditions, and seeing with impatience that which they believed to be a studied effort to deprive them of constitutional rights, the States of the South resolved, respectively, to assert their sovereign rights and retire from the Union and form a new republic that would be influenced by the voice of her own people, among whom similar pursuits created similar interests.

They were not dissatisfied with the Republic of their fathers, but they feared for their dearest interests under the influence of new political principles that had triumphed in the Republic, which they regarded as a direct menace to their institutions. Long and anxious had the people anticipated the crisis. Forty years of discussion and waiting had brought to them full fruits of their painful anxiety. The election of President in 1860 seemed to them the knell of submission or the establishment of a new government "founded on such principles and organizing its powers in such form as to them seemed most likely to affect their safety and happiness."

Senator WALTHALL, thoroughly imbued with these views, earnestly enlisted in the cause of his native and beloved South. His soldierly qualities, his fine powers, and earnest nature carried him through the military grades to that of major-general. He acted from patriotic conviction and in response to the demand of his State, which was his *sovereign*, and, if I may say so, in obedience to the demands of that unseen force that broods over human society and inspires the great events that mark the progress of humanity.

Mr. President, all great changes in society are preceded by extraordinary efforts. It is only during the throes of creative epochs that great characters are evolved. They mark the growth of the nations; they impress their purposes, philosophy, and sentiments on the human race. The conspicuous personages in history are evoked by those great epochs that force intense and severe conflicts of sentiments. They erect their monuments on the shores of time in the form of great and good men and noble deeds, and are as conspicuous as are the lofty mountains that mark the topography of the earth.

They are only the living, active forces that are created by the epochs. This period, in which occurred our war between the States, developed many splendid characters, of which any country might be justly proud; and among them is found, in our brief but brilliant Confederate history, the name of Gen. EDWARD C. WALTHALL.

I can not speak too highly of his success. To his fine judgment, earnest and dignified deportment, he added a fervent and unselfish patriotism. His gentle and simple manners were reenforced with the courage and prowess of Chevalier Bayard.

Firm and undaunted in battle, self-poised and resourceful in defeat, as distinguished for his generous humanity as he was revered for his heroic conduct in action, were the characteristics of his army life. He was the same character in war that he was

in peace; devoted to his duty, he consecrated his fine powers to the interests of his country, and for the success of the cause he deemed it the supreme act of patriotism to secure its triumphs.

Mr. President, like my honorable friend who has just preceded me, my first soldier acquaintance with General WALTHALL was preceding the Bragg-Rosecrans campaign, the objective of which was south of the Tennessee River. This campaign culminated in the grand historic battle of Chickamauga, in September, 1863. General WALTHALL was on the Confederate side, and was in the forefront from the beginning to the close of that great battle, which history is writing as the best fought battle on both sides during the war. This brilliant victory for the Confederates was soon followed by their defeat at Missionary Ridge, where my friend from Florida [Mr. PASCO] was wounded. WALTHALL heard the shout of victory of the Confederates at Chickamauga, and that of victory from Federals at Missionary Ridge. I can only refer to the winter spent in Dalton, Ga., and the North Georgia campaign of a hundred days, when every movement was a battlefield and every battlefield a graveyard.

For one hundred days cannons thundered and muskets flashed, and for one hundred nights the stars looked down on new-made graves and new battle lines stained with blood, in all of which General WALTHALL bore a conspicuous part. And so around Atlanta and Jonesboro, and then on to the glorious and ill-fated field of Franklin, Tenn., where 6,000 out of less than 15,000 trained and tried Confederate soldiers went down before the Federal breastworks in less than an hour and a half and in the most unjustifiable and unnecessary battle of the war.

It was a victory, but to gain it destroyed an army. WALTHALL was one of the assaulting party, as was my friend in front of me [Mr. COCKRELL]. He was also one of us to experience subsequent defeat around Nashville, and being ordered to bring up the rear of the retreating Confederate army, along with General Forrest, commanding the cavalry, did so in splendid manner and deservedly gained honor and credit for so doing.

He followed the Confederate army and was a part of it at its surrender.

The first great battle in which General WALTHALL and myself were together in the fight was that of Chickamauga, under General Bragg, and what a history it has, both in war and in peace. See Chickamauga to-day. No battlefield on earth, nothing in history is like unto Chickamauga. It was there on two separate days, in 1863, that men of the same kith and kin, after marching and countermarching for position, met in deadly conflict. WALTHALL was in that line. My friend from Missouri [Mr. COCKRELL] was in it. The field, after desperate struggle, was held by the Confederates, with a loss of near 30 per cent on each side.

To-day presents a scene not known to history. The parties who ought there then, amid the smoke of battle, grappled to the death, are to-day mustering together in a common cause on the blood-marked field and sleeping together under the same tent cloth and drilling and marching together as though they had never been enemies. What field can show such a history? It is a spectacle unique in history, without its parallel in all the annals of war. It is the romance of reality. How wondrous are the ways of Providence! "Behind a frowning Providence He hides a smiling face."

The Iliad of our long-exhausting woes having closed, Senator WALTHALL accepted the situation, returned to his home, resumed his profession amid the scattered remains of former prosperity and new political and social conditions. Life had to be commenced again under very embarrassing circumstances. With that heroic purpose that had ever marked his course he devoted his finest powers to the work. Before his unfaltering fortitude all opposing obstacles yielded. The work of reconstruction was not only a grave impediment to the restoration of prosperity, but a most humiliating experience for the old residents of the State.

It was found in the South to be impossible to elevate an inferior race to the same moral, social, and political plane by a mere legislative enactment. Dissociable races must find by experience their working relations. This has often resulted in the total destruction of the weaker or their expulsion from the country. In the South the jarring contest finally mellowed into a tranquil submission to the natural laws of mutual interests. The life and services of Senator WALTHALL were not forgotten by a grateful people who had been given his finest service to promote their prosperity.

They elevated him to a seat in the body where his last labors were exerted for the Republic. There he knew he entered on sacred ground, trod in the olden time by the wise and great of the Republic, the demigods of the nation's glory. Their noble virtues and inspiring example were to him a pillar of fire by night and a directing cloud by day. To form a new nation and nurse it into vigorous manhood is the highest gift of the statesman. Next to these are the men who seek to maintain the established order and preserve in their integrity the institutions handed down by the creative men, such as our fathers were.

His modest deportment, refined manners, truthful and sincere mien won for him honors and the approbation of all who knew him. Rarely in history do we find such marked efficiency united with such delicate sensibility. It is a notable instance where unassuming merit secured the prize that usually falls to the lot of aggressive audacity. He not only possessed genuine courage, but all the virtues akin to it. To a sense of duty and fidelity to the principles that actuated him, he added a ready intelligence and simple but captivating address that won all hearts, and none more than the Senators with whom he came in daily contact. He was not so ambitious of position as he was determined to deserve it, and was content with the conscious sense of having acted to the best of his ability the part assigned.

Senator WALTHALL belonged to that class of statesmen who devote themselves to the duty of maintaining the institutions of the country in their present state. He had a firm confidence in the capacity of the people to provide for their own local self-government and that separate States could best maintain their own local interest. He opposed all measures calculated to diminish the influence and power of the States. He knew that the Federal Government, with its vast prerogatives, commanding influence, and immense patronage would not only take care of its integrity, but was continually trenching on the reserved rights of the States. Hence, with anxious solicitude he guarded the rights and interests of the States from all encroachments.

In the smaller communities the liberties of the people were secure so long as they were in the care of and protected by the

State. The growing influence of the Federal Government and the diminution of the State were manifest, especially since the civil war, and were calculated to arrest the attention of all lovers of the Republic as it was organized and put in motion by Washington and his illustrious companions.

These duties, often important and of grave character, were performed by Senator WALTHALL with such a sense of justice and regard for the feelings and rights of others as to leave no sting behind them. No enmities mar his bright and stainless record—only the memories redolent of tender sympathies and sweet and pleasing reminiscence.

The late Senator from Mississippi was a man just and tenacious of purpose, with a refined and penetrating judgment, capable of bringing together within a short space all that was necessary to establish, to illustrate, and to decorate that side of a question which he supported, and stated his matter skillfully and with luminous explanation.

He was a politician, sincere and courageous, believing conscientiously in the principles of his party; yielding to no temptations of temporary expediency in the defense or advocacy of its measures or in the support of its administrations. He was destitute of all injustice toward those who differed from him on the great principles of government or measures of administration, awarding to every opponent the same honesty and sincerity which he knew actuated and governed his own public life.

He took no short cuts in politics, but pursued the well-defined paths of constitutional government, believing that only by a strict adherence to our fundamental charter would honesty in the administration of our Government be secured and prosperity and happiness attend the people.

His masculine understanding and stout, resolute heart gave an earnestness of purpose to all his undertakings, which were always directed toward the preservation and improvement of his State and country and the happiness, prosperity, and advancement of the people.

Bred to the profession of the law, that first and foremost of the sciences, which quickens and invigorates as well as liberalizes the understanding, he rose to prominence at the bar of Mississippi, and at an early age was, from 1856 to 1861, the district attorney for the tenth judicial district of that State. The civil war in 1861 arrested for a time his advancement in his profession, but on the return of peace he resumed its practice and continued to rise in its honors and emoluments.

In the midst of professional engagements he was not indifferent to the claims of his party upon his time and abilities, and became a prominent figure in the national Democratic conventions from 1868 to 1896, in which, as vice-president and chairman of the Mississippi delegation, he gave to his party the benefits of his abilities and experience. That prominence in the councils of his party naturally led to his selection as Senator on the resignation of Mr. Lamar, and his repeated subsequent elections by the legislature of Mississippi in 1886, 1888, and 1892 attest the confidence and admiration of the people of that State, who have continuously honored and sustained him in all the efforts of his public life.

He passed from the camp through the legal forum to the Senate, where the integrity of his character was a shield against calumny, and no rumor or report ever tarnished its brightness. He

LIBRARY OF CONGRESS
0 013 787 958 A

kept the even tenor of a diligent and industrious application to public duties, seeking neither applause nor compliment, content in the satisfaction that he served Mississippi with all the industry and energy of his nature, and the United States with the best efforts of mind and body.

Such, Mr. President, is but a brief epitome of the public usefulness of the late Senator from Mississippi, to whom the Senate pays this day the last tribute of its admiration and regard.

Without discrimination, I can say that since my entrance into this Hall there has not been among us a more erect and independent spirit, a man of higher honor, of more manly mind or more firm and determined integrity than EDWARD CARY WALTHALL.

He sleeps now in the bosom of our Southland, the land he loved; the land upon whose altar he offered life and all that life holds dear; the land where the sunlight glints in genial glow and the quick twinkle of the stars come true and gentle; where the skies bended as a bow, but the bow is without an arrow; a land where the magnolia is green all the year long and her blossom-crown is ever white; where the nightingale's song is in tune and the "musk of the roses blows."

He sleeps there, and his dust, as it enriches and nurtures, imparts his own modesty to the violets that peep out in early spring from the little green mound that swells above the buried chivalry; and if his unaffected purity of purpose and simplicity of nature in life linger with his dust, their virtues will feed the little daisies in their growth, while his warm Mississippi patriotism will give aroma and color to the rose as it bursts with imprisoned sweets. Peace to the ashes of my comrade in war and in peace.

312